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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,879	08/22/2001	Heather N. Bean	10015216-1	9258

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,879

Applicant(s)

BEAN ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 42-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 42-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,574,416 (Posa et al), in view of US patent #6,650,826 (Hatta).

- As for claim 42: Posa et al teach a computer implemented method and corresponding system for displaying a video sequence, the video sequence comprises a plurality of video segments. Each video segment, represented by a keyframe picture, is concurrently displayed in a corresponding window (abstract; 1:54-59; figure 2). Each video segment is displayed with a time offset (1:59-67). Each segment can be selected independently to play its associated video and audio (2:1-7). Posa et al fail to clearly teach that the pre-determined time offset is adjustable while the sequence is being displayed. However, in the same field of video editing, Hatta teaches a picture representation 63 of a video sequence having slider 69 for offsetting the display time. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Hatta's teaching of the picture representation 63 having the slider 69 to Posa'. The modified Posa would present a picture representation that has a

slider for adjusting the time offset, thus enable the user to selectively traverse the video sequence at any offset time.

- As for claim 43: Per Posa et al, the predetermined time offset is an integer multiple of time differential (1:62-65).
- As for claims 44, 45: Per Posa et al, the selecting a video window comprises positioning a cursor over the window and activating a pointing device (10:22-26).
- As for claims 46, 49: Posa et al fail to clearly teach that a selected window is displayed larger than the others. However Official notice is taken that implementation of a selected window larger than other non-selected window is well known in the art for providing a visual cue indicating the window in focus. It would have been obvious to one of skill in the art, at the time the invention was made to combine the well known implementation of displaying the selected window larger than other non-selected window to Posa et al. Motivation of the combining is for providing a visual cue indicating the window in focus. While being enlarged, the window is moved to a different display coordinates.
- As for claim 47: Per Posa et al, the number of video windows and their spatial configuration on the display are specified by a user prior to step (a) (1:59-67).
- As for claim 48: Per Posa et al, the time offset is specified by the user prior to step (a) (1:59-67).
- As for claims 50, 51: Marking a selected window, such highlighting and bordering, are basic window operations thus are inherently included in the combined teachings. Even if it is not, official notice is taken that implementation of marking a selected

window by highlighting or bordering to differentiate it from other windows are well known in the art for providing a visual cue indicating the window in focus. It would have been obvious to one of skill in the art, at the time the invention was made to combine the well known implementation of marking a selected window to differentiate it from other windows to Posa et al. Motivation of the combining is for providing a visual cue indicating the window in focus.

- As for claim 52: Per Posa et al, the segment windows can be played simultaneously together with its associated audio (10:32-55). Posa et al fail to clearly teach that the windows are simultaneously selected and replayed under the control of the user. However the limitation is disclosed by Hatta (1: 34-44; 2:59-67; 7:7-12; figure 5). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Hatta's teaching of control for simultaneously selecting and replaying of video segments in associated windows to Posa et al. Motivation of the combining is for concurrently viewing and controlling the viewing of the video as explicitly suggested by Hatta (1:34-44; 2:59-67).
- As for claim 53: Posa et al teach a computer implemented method and corresponding system for displaying a video sequence, the video sequence comprises a plurality of video segments. Each video segment, represented by a keyframe picture, is concurrently displayed in a corresponding window (abstract; 1:54-59; figure 2). Each video segment is displayed with a time offset (1:59-67). Each segment can be selected independently to play its associated video and audio (2:1-7). Posa et al fail to clearly teach that the pre-determined time offset is adjustable while the sequence is

being displayed. However, in the same field of video editing, Hatta teaches a picture representation 63 of a video sequence having pause button 68 and slider 69 for controlling the display and offsetting the display time. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Hatta's teaching of the picture representation 63 having the pause button 68 and slider 69 to Posa'.

The modified Posa would present a picture representation that has a pause button for stopping/playing the display and a slider for adjusting the time offset, thus enable the user to control the display and adjust the offset time to selectively traverses the video sequence. It is implicitly included that when the control button 68 is activated to pause a display, a time index is stored such that the display can be resumed at the paused position (7:22-26).

- As for claim 54: Since the display of the picture representations 63 can be individually controlled, a first picture can be paused while a second picture is playing.
- As for claims 55, 56: The single button 68 operates as a dual Pause/Play button.
- As for claims 57-64: Apparatus claims 57-64 are rejected for the same rationales as set forth in the rejection of the corresponding method claims. In an interview on 6/1/04 for a propose restriction requirement based on process and apparatus claims, Mr. Thomas M. Croft traverses the restriction and indicates that the apparatus claims are merely one to one mapping of the corresponding method claims. Thus claims 57-64 (former claims 32-41) are rejected as either being obvious over Posa et al and Hatta, as set forth in the rejection of the corresponding method claims.

Response to Arguments

Applicant's arguments filed 11/5/04 have been fully considered but they are not persuasive.

REMARKS:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this instant case, Posa teaches the displaying of video segments in windows, each having a time offset of 10 minutes. I.e., each segment is 10 minute long. The total of 12 video sequences represent a 2 hours movie (Posa's 1:54-65). Thus Posa teaches the interface for editing/viewing a single video sequence (i.e., the 2 hours movie) represented by twelve segments of the video sequence, each segment is displayed in separate window 64. The interface allows the user to view different portion of the video at separate point of time. This teaching of Posa is substantially similar to the applicants' disclosure, page 4, lines 14-20. Hatta as combined with Posa, allows changing the start time in each segment thus changing the offset time between one segment to its adjacent. It is noted the limitation "the video sequence" is being equated to Posa's 2 hours movie, and the limitation "displaying simultaneously the video sequence in each of at least two video windows" is being equated to Posa's teaching of displaying segments of the same video sequence. In case that the applicants plan to amend or traverse the rejection in the direction that the video sequence must be identical in each of the windows, such implementation would also obvious in the combination of Posa and Hatta for editing purpose.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138 (if call after 10/12/04: 571-272-4138). The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
3/9/05

BAHUYNH
PRIMARY EXAMINER